## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

**CIVIL NO. 1:04CV136** 

EARNESTINE SHEPHERD,	)		
Plaintiff,	)		
vs.	)		ORDER
METROPOLITAN LIFE INSURANCE COMPANY,	) ) )		
Defendant.	)	)	

**THIS MATTER** is before the Court *sua sponte* to continue the trial from the March 2006 term in the Asheville Division.

The Court has under advisement the parties' cross motions for summary judgment and the Plaintiff's motion to compel; the Court will not complete its review of these motions in time for the parties to adequately prepare for trial for the March 2006 term.

IT IS, THEREFORE, ORDERED that the Clerk calendar this case for trial during the Court's May 2006 term in the Asheville Division.

Signed: February 16, 2006

Lacy H. Thornburg United States District Judge